

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

**JNL FUNDING CORP.,**

Debtor.

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Chapter 11

Case No. 10-73724 (ast)

**APPLICATION FOR ORDER APPROVING  
THE UNITED STATES TRUSTEE'S APPOINTMENT OF EXAMINER**

TO: HONORABLE ALAN S. TRUST;  
UNITED STATES BANKRUPTCY JUDGE:

Tracy Hope Davis, the United States Trustee for Region 2, hereby makes application to this Court for an order approving the United States Trustee's appointment of Christopher Ellis, as examiner, pursuant to 11 U.S.C. § 1104(d), in the above-captioned Chapter 11 case and in support thereof respectfully represents as follows:

1. This case was commenced by the filing of a voluntary petition under Chapter 11 of the Bankruptcy Code on May 14, 2010.
2. An Order directing appointment of an examiner (the "Examiner") to conduct an investigation and report thereon, pursuant to 11 U.S.C. §§ 1104(c) and 1106(b), was entered by this Court on August 27, 2010.
3. Pursuant to 11 U.S.C. § 1104(d), the United States Trustee has consulted with the following parties in interest concerning selection of the Examiner: (1) A. Scott Mandelup, Esq., of Pryor & Mandelup, L.L.P., counsel for the Debtor; (2) Richard Gertler, Esq., Thaler Gertler, LLP, counsel for the Official Committee of Unsecured Creditors; and (3) Steven Fox, Esq., Epstein Becker & Green, P.C., counsel for the secured creditor Textron Financial

Services Corp.

4. Based upon the nature of this case and the duties to be performed, the United States Trustee believes that Christopher Ellis is best qualified to serve as the Examiner in this proceeding. A copy of the Mr. Ellis' Affidavit of Disinterestedness is annexed hereto as Exhibit A. A copy of the proposed Order appointment Mr. Ellis is annexed hereto as Exhibit B.

WHEREFORE, the United States Trustee respectfully requests the entry of an order, substantially in the form annexed hereto, approving the United States Trustee's appointment of Christopher Ellis to serve as Examiner in this case, and for such other and further relief as the Court may deem just and proper.

Dated: Central Islip, New York  
September 3, 2010

Respectfully submitted,  
TRACY HOPE DAVIS  
UNITED STATES TRUSTEE, REGION 2

By: /s/ Christine H. Black  
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